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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,209	04/07/2004	Richard Lunak	050704/306103	7439

826 7590 05/01/2007
ALSTON & BIRD LLP
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CHARLOTTE, NC 28280-4000

EXAMINER

NGUYEN, KIMBERLY D

ART UNIT	PAPER NUMBER
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2876

MAIL DATE	DELIVERY MODE
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05/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/820,209

Applicant(s)

LUNAK ET AL.

Examiner

Kimberly D. Nguyen

Art Unit

2876

All participants (applicant, applicant's representative, PTO personnel):

(1) Kimberly D. Nguyen.

(3) _____.

(2) Robert Flynt Strean.

(4) _____.

Date of Interview: 25 April 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____.

Claim(s) discussed: _____.


Identification of prior art discussed: _____.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


KIMBERLY D. NGUYEN
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Strean pointed out that in the past the examiner had characterized some responses from applicants to the arguments, specifically the automatically comparing, as persuasive regarding the Frederick et al. reference. The examiner recommended Mr. Strean to have the arguments in writing in the next communication responding to the Office action mailed March 12, 2007. The examiner will discuss the subject matter(s) with her supervisor(s) and call Mr. Strean to let him know the status of the case (i.e., the Office rejection mailed March 12, 2007 should be maintained or withdrawn).

PTOL-413A (12-02): Approved for use through xx/xx/xxxx. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/820,209 First Named Applicant: Richard Lunak
Examiner: Kimberly D. Nguyen Art Unit: 2876 Status of Application: Non-Final Rejection

Tentative Participants: (1) Examiner Nguyen (2) R. Flynt Streat (Reg. No. 56,450)

Proposed Date of Interview: 4-25-2007 Proposed Time: 10:00 AM ET

Type of Interview Requested: (1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit to Be Shown or Demonstrated: ☐ YES ☒ NO

Issues To Be Discussed

Issues	Claims	Prior Art	Discussed	Agreed	Not Agreed
(1) § 103(a) Rejection	15-30	Frederick et al.; Liff et al.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Brief Description of Arguments to be Presented:

Generally, Applicants wish to discuss the rejection of Claims 15-30 under 35 U.S.C. § 103(a) under Frederick et al. in view of Liff et al. Specifically, Applicants wish to discuss at least the following issue(s):

In the Office Action, the Examiner relies on the Frederick et al. reference as the primary reference, but asserts similar arguments as have been asserted in various past Office Actions, even though the Examiner had characterized our responses to those arguments as persuasive.

R. Flynt Streat
Alston & Bird LLP
(704) 444-1430
flynt.streat@alston.com

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01). This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)